



1635

Serial No. 09/899,575
Docket No. PP001631.0102
2302-1631.21
PATENT

CERTIFICATE OF MAILING PURSUANT TO 37 CFR § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on **June 28, 2005**.

6/28/05

Michelle Hobson

Date

Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

ZUR MEGEDE et al.

Serial No.: 09/899,575

Filing Date: July 5, 2001

Title: POLYNUCLEOTIDES ENCODING
ANTIGENIC HIV TYPE C POLYPEPTIDE,
POLYPEPTIDES AND USES THEREOF

Examiner: B. Whiteman

Group Art Unit: 1635

Confirmation No.: 1709

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Sir:

Transmitted herewith for filing, please find the following documents:

- Request to Correct Inventorship Under 37 C.F.R. §1.48(a) (2 pages) with attached Statement from Person to be Added as an Inventor pursuant to 37 C.F.R. 1.48(a)(2) (1 page)
- Consent of Assignee for Correction of Inventorship Under 37 CFR §1.48(a) from Chiron Corporation (1 page) with attached copy of Assignment Recordation documents (5 pages)
- Declaration for Patent Application signed by Jan Zur Megede, Susan Barnett and Ying Lian (4 pages)
- Consent of Assignee for Correction of Inventorship Under 37 CFR §1.48(a) from the University of Stellenbosch (1 page) with attached copy of Assignment Recordation documents (5 pages)
- Combined Declaration and Power of Attorney signed by Susan Engelbrecht and Estralita Janse van Rensburg (6 pages)

Serial No. 09/899,575
Docket No. PP001631.0102
2302-1631.21

Information Disclosure Statement (3 pages) with attached PTO/SB/08A (1 pg)
 Return receipt postcard

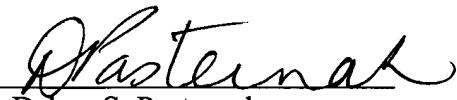
The fee is calculated as follows:

	NO. OF CLAIMS	CLAIMS PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	Fee
Total Claims	97	- 97	0	x \$50.00	\$0
Independent Claims	30	- 30	0	x \$200.00	\$0
Multiple dependent claims not previously presented, add \$360.00					\$0
Total Amendment Fee					\$0
Petition fee pursuant to 37 CFR §1.17(h)					\$130.00
Small Entity Reduction (if applicable)					\$0
TOTAL FEE DUE					\$130.00

A check for \$130.00 is attached.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 18-1648.

Respectfully submitted,

Date: June 28, 2005
By: 
Dahna S. Pasternak
Registration No. 41,411
Attorney for Applicants

CHIRON CORPORATION
Intellectual Property - R440
P. O. Box 8097
Emeryville, CA 94662-8097
Telephone: (510) 923-8406
Facsimile: (510) 655-3542



USSN: 09/899,575
Dkt. No.: PP001631.0102
2302-1631.21
PATENT

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Michelle Hobson
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

ZUR MEGEDE et al.

Serial No.: 09/899,575

Filing Date: July 5, 2001

Title: **POLYNUCLEOTIDES ENCODING
ANTIGENIC HIV TYPE C POLYPEPTIDE,
POLYPEPTIDES AND USES THEREOF**

Examiner: B. Whiteman

Group Art Unit: 1635

Confirmation No.: 1709

REQUEST TO CORRECT INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Sir:

This paper is filed in order to correct the inventorship of the above-identified patent application under 37 CFR §1.48(a). The inventorship as originally named was incorrect due to an error made without deceptive intent.

Applicants respectfully request that Ying LIAN be added as a coinventor to the application.

Accompanying this Petition is a Statement from Person to be Added as an Inventor pursuant to 37 C.F.R. 1.48(a)(2), signed by Ying LIAN, a Consent of Assignee for Correction of Inventorship Under 37 CFR §1.48(a) from Chiron Corporation, a Consent of Assignee for Correction of Inventorship Under 37 CFR §1.48(a) from the University of Stellenbosch, a Declaration and Power of Attorney signed by the inventors, and the required fee pursuant to 37 CFR §1.17(h).

The Commissioner is respectfully requested to act favorably on this Petition and amend inventorship as specified above. In addition, the Commissioner is hereby authorized to charge any additional fees under 37 CFR §1.16 and 1.17 that may be required by this paper, or to credit any overpayment, to Deposit Account no. 18-1648.

Respectfully submitted,

Date: June 28, 2005

By: Dahna S. Pasternak
Dahna S. Pasternak
Registration No. 41,411

CHIRON CORPORATION
Intellectual Property - R440
P. O. Box 8097
Emeryville, CA 94662-8097
Telephone: (510) 923-8406
Facsimile: (510) 655-3542



USSN: 09/899,575
Dkt. No.: PP01631.102
2302-1631.21

hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA, 22313 on June 28, 2005.

6/28/05

Date

Michelle Hobson

Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

ZUR MEGEDE et al.

Serial No.: 09/899,575

Filing Date: July 5, 2001

Title: **POLYNUCLEOTIDES ENCODING
ANTIGENIC HIV TYPE C POLYPEPTIDE,
POLYPEPTIDES AND USES THEREOF**

Examiner: B. Whiteman

Group Art Unit: 1635

Confirmation No.: 1709

STATEMENT FROM PERSON TO BE ADDED AS INVENTOR UNDER 37 C.F.R. 1.48(a)(2)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Sir:

I, Ying LIAN, hereby verify that the error in inventorship on the above-identified application occurred without deceptive intent.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 6/7/2005


Ying LIAN



USSN: 09/899,575
Dkt. No.: PP01631.102
2302-1631.21

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA, 22313 on June 28, 2005.

6/28/05

Date

Michelle Hobson

Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

ZUR MEGEDE et al.

Serial No.: 09/899,575

Filing Date: July 5, 2001

Title: **POLYNUCLEOTIDES ENCODING
ANTIGENIC HIV TYPE C POLYPEPTIDE,
POLYPEPTIDES AND USES THEREOF**

Examiner: B. Whiteman

Group Art Unit: 1635

Confirmation No.: 1709

CONSENT OF ASSIGNEE TO CORRECT INVENTORSHIP UNDER 37 C.F.R. 1.48(a)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Sir:

Chiron Corporation, an owner of the right, title and interest in and to the above-identified application, by virtue of an assignment (copy attached hereto) in the above-identified application Serial No. 09/899,575, hereby consent to the request to correct inventorship of the above-identified application to add Ying Lian as an inventor.

Chiron Corporation

Date: June 22, 2005

By:

H. L. L.

Name: HELEN LEE

Title: Assistant Secretary



DECEMBER 10, 2001

PTAS

UNITED STATES DEPARTMENT OF COMMERCE
 Patent and Trademark Office
 ASSISTANT SECRETARY AND COMMISSIONER
 OF PATENTS AND TRADEMARKS
 Washington, D.C. 20231

CHIRON CORPORATION
 ANNE S. DOLLARD
 INTELLECTUAL PROPERTY - R440
 EMERYVILLE, CA 94662-8097

700009177A

700009177A

UNITED STATES PATENT AND TRADEMARK OFFICE
 NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 12/07/2001

REEL/FRAME: 012225/0289
 NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

MEGEDE, JAN ZUR

DOC DATE: 09/12/2001

ASSIGNOR:

BARNETT, SUSAN W.

DOC DATE: 09/12/2001

ASSIGNEE:

CHIRON CORPORATION
 4560 HORTON STREET
 EMERYVILLE, CALIFORNIA 94608-2917

SERIAL NUMBER: 09899575

FILING DATE: 07/05/2001
 ISSUE DATE:

PATENT NUMBER:

MARGARET LASALLE, PARALEGAL
 ASSIGNMENT DIVISION
 OFFICE OF PUBLIC RECORDS

12/07/2001
700009177



Atty Dkt No. 1631.102
2302-1631.21

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECORDATION COVER SHEET (PATENT)

1. Name of conveying party/parties:

Jan zur MEGEDB and Susan W. BARNETT

2. Name and address of receiving party/parties:

Chiron Corporation
4560 Horton Street
Emeryville, CA 94608-2917

3. Nature of conveyance: Assignment
 Name Change
 Other

Execution date: September 12, 2001

4. Application number(s) or patent number(s):

A. Patent Application No(s).: 09/899,575

B. Patent No(s).:

If this document is being filed together with a new application, the execution date of the application is:
and the title of the new application is:

5. Name and address of party to whom correspondence concerning document should be mailed:

Anne S. Dollard
CHIRON CORPORATION
Intellectual Property - R440
P.O. Box 8097
Emeryville, CA 94662-8097

6. Total number of applications/patents involved: 1
7. Total fee: 1 x \$40.00 = \$ 40.00
 - Enclosed is a check for \$ 40.00.
 - Authorized to be charged to deposit account
8. Deposit account number: 18-1648.
9. The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 18-1648.
10. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Dated: Dec 7, 2001

By: D. Pasternak
Dahma S. Pasternak
Reg. No. 41,411

ROBINS & PASTERNAK LLP
90 Middlefield Road, Suite 200
Menlo Park, CA 94025
Telephone: (650) 325-7812
Fax: (650) 325-7823

Total number of pages including cover sheet, attachments, document: 4

Mail to: U.S. Patent and Trademark Office
Office of Public Records, Box Assignment
Crystal Gateway 4, Room 335
Washington, D.C. 20231

ASSIGNMENT

JOINT

THIS ASSIGNMENT, by Jan zur Megede, and Susan W. Barnett, (hereinafter referred to as the assignors), residing at San Francisco, CA, and San Francisco, CA, respectively, witnesseth:

WHEREAS, the said assignors have invented certain new and useful improvements in POLYNUCLEOTIDES ENCODING ANTIGENIC HIV TYPE C POLYPEPTIDES, POLYPEPTIDES AND USES THEREOF set forth in an application for Letters Patent of the United States, bearing Serial No. 09/899,575 and filed on July 5, 2001; and

WHEREAS, CHIRON CORPORATION a corporation duly organized under and pursuant to the laws of Delaware, and having its principal place of business at 4560 Horton Street, Emeryville, California 94608-2917 (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

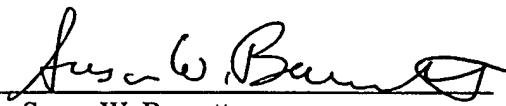
NOW THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient considerations, the receipt of which is hereby acknowledged, the said assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto the assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations, and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Union for the Protection of Industrial Property, the same to be held and enjoyed by the said assignee, for its own use and behoof and the use and behoof of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

AND for the same consideration, the said assignors hereby covenant and agree to and with the said assignee, its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, the said assignors are the sole and lawful owners of the entire right, title and interest in and to the said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that the said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, the said assignors hereby covenant and agree to and with the said assignee, its successors, legal representatives and assigns, that the said assignors will, whenever counsel of the said assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of the said assignee, its successors, legal representatives and assigns.

AND the said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to the said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use and behoof of the said assignee, its successors, legal representatives and assigns.

Date 9/12/01 Name of Inventor 
Jan zur Megede

Date 9/12/01 Name of Inventor 
Susan W. Barnett



PATENT
Atty. Dkt. No. PP1631.102
U.S.S.N. 09/899,575

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I HEREBY DECLARE:

THAT my residence, post office address, and citizenship are as stated below next to my name;

THAT I believe I am the original, first, and sole inventor (if only one inventor is named below) or an original, first, and joint inventor (if plural inventors are named below or in an attached Declaration) of the subject matter which is claimed and for which a patent is sought on the invention entitled

POLYNUCLEOTIDES ENCODING ANTIGENIC HIV TYPE C

POLYPEPTIDE, POLYPEPTIDES AND USES THEREOF

the specification of which (check one)

 is attached hereto.

X was filed on July 5, 2001 as United States Application Number 09/899,575

THAT I do not know and do not believe that the same invention was ever known or used by others in the United States of America, or was patented or described in any printed publication in any country, before I (we) invented it;

THAT I do not know and do not believe that the same invention was patented or described in any printed publication in any country, or in public use or on sale in the United States of America, for more than one year prior to the filing date of this United States application;

THAT I do not know and do not believe that the same invention was first patented or made the subject of an inventor's certificate that issued in any country foreign to the United States of America before the filing date of this United States application if the foreign application was filed by me (us), or by my (our) legal representatives or assigns, more than twelve months (six months for design patents) prior to the filing date of this United States application;

THAT I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above;

THAT I believe that the above-identified specification contains a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention, and sets forth the best mode contemplated by me of carrying out the invention; and

THAT I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

PATENT

Atty. Dkt. No. PP1631.102

U.S.S.N. 09/899,575

I HEREBY CLAIM foreign priority benefits under Title 35, United States Code §119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number	Country	Foreign Filing Date	Priority Claimed?	Certified Copy Attached?

I HEREBY CLAIM the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

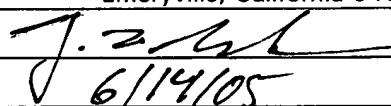
U.S. Provisional Application Number	Filing Date

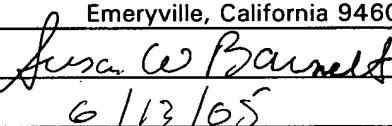
I HEREBY CLAIM the benefit under Title 35, United States Code, §120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Application Number	Parent Filing Date	Parent Patent Number
09/610,313		July 5, 2000	

PATENT
Atty. Dkt. No. PP1631.102
U.S.S.N. 09/899,575

I FURTHER DECLARE THAT all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name of first inventor	Jan zur Megede
Residence (City, State)	San Francisco, California
Citizenship	Germany
Post Office Address	c/o Chiron Corp. 4560 Horton Street Emeryville, California 94608
Inventor's signature	
Date	6/14/05

Name of second inventor	Susan Barnett
Residence (City, State)	San Francisco, California
Citizenship	U.S.A.
Post Office Address	c/o Chiron Corp. 4560 Horton Street Emeryville, California 94608
Inventor's signature	
Date	6/13/05

Name of third inventor	Ying Lian
Residence (City, State)	Vallejo Albany, California
Citizenship	China
Post Office Address	c/o Chiron Corp. 4560 Horton Street Emeryville, California 94608
Inventor's signature	
Date	6/7/2005

PATENT
Atty. Dkt. No. PP1631.102
U.S.S.N. 09/899,575

Name of fourth inventor	Susan Engelbrecht
Residence (City, State)	Tygerberg, South Africa
Citizenship	South Africa
Post Office Address	c/o University of Stellenbosch P.O. Box 19063 Tygerberg, South Africa
Inventor's signature	
Date	
Name of fifth inventor	Estrelita Janse van Rensburg
Residence (City, State)	Tygerberg, South Africa
Citizenship	South Africa
Post Office Address	c/o University of Stellenbosch P.O. Box 19063 Tygerberg, South Africa
Inventor's signature	
Date	



USSN: 09/899,575
Dkt. No.: PP01631.102
2302-1631.21

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June 28, 2005

6/28/05

Date

Michelle Hobson

Signature

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ZUR MEGEDE et al.

Serial No.: 09/899,575

Filing Date: July 5, 2001

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ANTIGENIC HIV TYPE C POLYPEPTIDE,
POLYPEPTIDES AND USES THEREOF**

Examiner: B. Whiteman

Group Art Unit: 1635

Confirmation No.: 1709

CONSENT OF ASSIGNEE TO CORRECT INVENTORSHIP UNDER 37 C.F.R. 1.48(a)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Sir:

University of Stellenbosch, an owner of the right, title and interest in and to the above-identified application, by virtue of an assignment (copy attached hereto) in the above-identified application Serial No. 09/899,575, hereby consent to the request to correct inventorship of the above-identified application to add Ying Lian as an inventor.

University of Stellenbosch

Date: 1/4/05

By:

Name:

Title:

Verhoef
Gerardus Verhoef
Director: IP



PTAS

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

DECEMBER 10, 2001

CHIRON CORPORATION
ANNE S. DOLLARD
INTELLECTUAL PROPERTY - R440
P.O. BOX 8097
EMERYVILLE, CA 94662-8097

700009178A

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UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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RECORDATION DATE: 12/07/2001

REEL/ FRAME: 012225/0308
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

ENGELBRECHT, SUSAN

DOC DATE: 08/29/2001

ASSIGNOR:

VAN RENSBURG, ESTRELITA JANSE

DOC DATE: 08/29/2001

ASSIGNEE:

UNIVERSITY OF STELLENBOSCH
P.O. BOX 19063
TYGERBERG 7505, SOUTH AFRICA

SERIAL NUMBER: 09899575

FILING DATE: 07/05/2001
ISSUE DATE:

ANTIONE ROYALL, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



Atty Dkt No. 1631.102
2302-1631.21

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECORDATION COVER SHEET (PATENT)

1. Name of conveying party/parties:

Susan ENGELBRECHT and Estrelita Janse van RENSBURG

2. Name and address of receiving party/parties:

University of Stellenbosch
P.O. Box 19063
Tygerberg 7505
South Africa

3. Nature of conveyance: Assignment
____ Name Change
____ Other

Execution date: August 29, 2001

4. Application number(s) or patent number(s):

A. Patent Application No(s).: 09/899,575

B. Patent No(s).:

If this document is being filed together with a new application, the execution date of the application is:
and the title of the new application is:

5. Name and address of party to whom correspondence concerning document should be mailed:

Anne S. Dollard
CHIRON CORPORATION
Intellectual Property - R440
P.O. Box 8097
Eimoryville, CA 94662-8097

6. Total number of applications/patents involved: 1
7. Total fee: 1 x \$40.00 = \$ 40.00
— Enclosed is a check for \$ 40.00.
- X Authorized to be charged to deposit account
8. Deposit account number: 18-1648.
9. The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 18-1648.
10. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Dated: Dec 7, 2001

By: D. Pasternak
Dahna S. Pasternak
Reg. No. 41,411

ROBINS & PASTERNAK LLP
90 Middlefield Road, Suite 200
Menlo Park, CA 94025
Telephone: (650) 325-7812
Fax: (650) 325-7823

Total number of pages including cover sheet, attachments, document: 4

Mail to: U.S. Patent and Trademark Office
Office of Public Records, Box Assignment
Crystal Gateway 4, Room 335
Washington, D.C. 20231

ASSIGNMENT

JOINT

THIS ASSIGNMENT, by Susan Engelbrecht, and Estrelita Janse van Rensburg, (hereinafter referred to as the assignors), residing at Tygerberg, South Africa, and Tygerberg, South Africa, respectively, witnesseth:

WHEREAS, the said assignors have invented certain new and useful improvements in POLYNUCLEOTIDES ENCODING ANTIGENIC HIV TYPE C POLYPEPTIDES, POLYPEPTIDES AND USES THEREOF set forth in an application for Letters Patent of the United States, bearing Serial No. 09/899,575 and filed on July 5, 2001; and

WHEREAS, UNIVERSITY OF STELLENBOSCH having its principal place of business at P.O. Box 19063, Tygerberg 7505 South Africa (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient considerations, the receipt of which is hereby acknowledged, the said assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto the assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations, and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Union for the Protection of Industrial Property, the same to be held and enjoyed by the said assignee, for its own use and behoof and the use and behoof of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

AND for the same consideration, the said assignors hereby covenant and agree to and with the said assignee, its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, the said assignors are the sole and lawful owners of the entire right, title and interest in and to the said inventions and the application for Letters Patent above-mentioned, and that the same are

unencumbered and that the said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, the said assignors hereby covenant and agree to and with the said assignee, its successors, legal representatives and assigns, that the said assignors will, whenever counsel of the said assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of the said assignee, its successors, legal representatives and assigns.

AND the said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to the said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use and behoof of the said assignee, its successors, legal representatives and assigns.

Date 29/08/01 Name of Inventor S. Engelbrecht
Susan Engelbrecht

Date 29/08/01 Name of Inventor E. Janse van Rensburg
Estrelita Janse van Rensburg



USSN: 09/899,575
Dkt. No.: PP01631.102
2302-1631.21

COMBINED DECLARATION AND POWER OF ATTORNEY FOR UTILITY PATENT APPLICATION

AS A BELOW-NAMED INVENTOR, I HEREBY DECLARE THAT:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if more than one name is listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: POLYNUCLEOTIDES ENCODING ANTIGENIC HIV TYPE C POLYPEPTIDE, POLYPEPTIDES AND USES THEREOF the specification of which

 is attached hereto
X was filed on July 5, 2001

and assigned Serial No. 09/899,575.

I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

I acknowledge and understand that I am an individual who has a duty to disclose information which is material to the patentability of the claims of this application in accordance with Title 37, Code of Federal Regulations, §§ 1.56(a) and (b) which state:

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98.

However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

- (i) Opposing an argument of unpatentability relied on by the Office, or
- (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

I do not know and do not believe this invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to said application. This invention was not in public use or on sale in the United States of America more than one year prior to this application. This invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on any application filed by me or my legal representatives or assigns more than six months prior to this application.

I hereby claim priority benefits under Title 35, United States Code § 119(e)(1) of any United States provisional application(s) for patent as indicated below and have also identified below any application for patent on this invention having a filing date before that of the application for patent on which priority is claimed:

<u>Application No.</u>	<u>Date of Filing</u> <u>(day/month/year)</u>	<u>Priority</u> <u>Claimed</u>
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I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) and (b) set forth above which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.: 09/610,313

Filing Date: July 5, 2000

Status (patented, pending, abandoned): Pending

USSN: 09/899,575
Dkt. No.: PP01631.102
2302-1631.21

As to the subject matter of this application which is common to said earlier application, I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to said earlier application, or in public use or on sale in the United States of America more than one year prior to said earlier application; that said common subject matter has not been patented or made the subject of an inventor's certificate issued before the date of said earlier application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to said earlier application; and that the earliest application(s) for patent or inventor's certificate on said invention filed by me or my legal representatives or assigns in any country foreign to the United States of America is identified below, as well as all other such applications (if any) filed more than twelve months prior to the filing date of this application:

Application Serial No. 09/610,313 filed July 5, 2000.

I hereby appoint the following attorneys and agents to prosecute that application and to transact all business in the Patent and Trademark Office connected therewith and to file, to prosecute and to transact all business in connection with all patent applications directed to the invention:

Lisa E. Alexander, Reg. No. 41,576
Steven W. Collier, Reg. No. 42,429
Richard C. Ekstrom, Reg. No. 37,027
Rebecca Hale, Reg. No. 45,680
Alisa A. Harbin, Reg. No. 33,895
Amy Hessler, Reg. No. 50,310
Charlene A. Launer, Reg. No. 33,035
Helen Lee, Reg. No. 39,270
Marcella Lillis, Reg. No. 36,583
Michael J. Moran, Reg. No. 42,013
T. Helen Payne, Reg. No. 36,889
Young J. Suh, Reg. No. 41,337
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Address all correspondence to: Helen Lee at

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P.O. Box 8097
Emeryville, CA 94662-8097
Telephone: 510-655-8730
Facsimile: 510-655-3542

Address all telephone calls to: Helen Lee at 510-923-2192.

This appointment, including the right to delegate this appointment, shall also apply to the same extent to any proceedings established by the Patent Cooperation Treaty.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature: _____
Full Name Inventor: Jan zur Megede
Citizenship: German
Residence: San Francisco, California
Post Office Address: c/o Chiron Corporation, 4560 Horton Street - R440, Emeryville, CA 94608

Date: _____

Signature: _____
Full Name Inventor: Susan Barnett
Citizenship: U.S.
Residence: San Francisco, California
Post Office Address: c/o Chiron Corporation, 4560 Horton Street - R440, Emeryville, CA 94608

Date: _____

Signature: _____
Full Name Inventor: Ying Lian
Citizenship: China
Residence: Albany, California
Post Office Address: c/o Chiron Corporation, 4560 Horton Street - R440, Emeryville, CA 94608

USSN: 09/899,575
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Signature: S. Engelbrecht

Full Name Inventor: Susan Engelbrecht

Citizenship: South African

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Date 1 April 2005

Signature: _____

Date

Full Name Inventor: Estrelita Janse van Rensburg

Citizenship: South African

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Dkt. No.: PP01631.102
2302-1631.21

Signature: _____

Date

Full Name Inventor: Susan Engelbrecht

Citizenship: South African

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Signature: 

Date

13 APRIL 2005

Full Name Inventor: Estrelita Janse van Rensburg

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